

Regular Meeting of the Roswell City Council

Held in the Bassett Auditorium at the Roswell Museum and Arts Center

Thursday, March 9, 2017 at 6:00 p.m.

The meeting convened with Mayor Kintigh presiding and Councilors Sanchez, Best, Mackey, Grant, Perry, Henderson, Foster, Denny and Oropesa present and Councilor Sandoval being absent. Councilor Henderson led in the Pledge of Allegiance and Councilor Sanchez led in Prayer.

Notice of this meeting was given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 16-69.

Councilor Sanchez moved to approve the agenda for the March 9, 2017 City Council meeting as presented. Councilor Henderson was the second. A voice vote was 7-2 and the motion passed with Councilors Perry and Grant voting no and Councilor Sandoval being absent.

NON-ACTION ITEMS

Presentation – Roswell Police Department (RPD) staffing levels and recruitment. Commander Thomas Moody gave a presentation on RPD staffing levels. There are 21 new police recruit applications and 14 new PSA applications for the month of February. Two new officers have been hired.

Presentation – Budget Timeline. Ms. Stark-Rankins presented the FY2018 budget timeline stating that the timeline remains on track.

PUBLIC PARTICIPATION ON AGENDA ITEMS

Participants are mentioned on each item.

REGULAR ITEM

Interim City Manager. Councilor Sanchez moved to approve Mayor Kintigh's recommendation of Louis Najar as Interim City Manager. Councilor Grant was the second. A roll call vote was as follows: Savino Sanchez-yes, Jeanine Best-yes, Natasha Mackey-yes, Caleb Grant-yes, Jason Perry-yes, Steve Henderson-yes, Barry Foster-yes, Tabitha Denny-no and Juan Oropesa-yes. The vote was 8-1 and the motion passed with Councilor Denny voting no and Councilor Sandoval being absent.

PUBLIC HEARINGS

Proposed Ordinance 16-21 – Municipal Court Fines. Councilor Perry moved to approve Proposed Ordinance 16-21 – Municipal Court Fines. Councilor Henderson was the second. Mr. Holloman discussed Proposed Ordinance 16-21 stating that if approved the ordinance would:

- increase fines
- add violations not previously listed
- change judicial education fee from \$2 to \$3
- allow for the collection of a fee for electronic monitoring devices

IN FAVOR: NONE

OPPOSED: NONE

QUESTIONS/COMMENTS: Larry Connolly

A roll call vote was as follows: Savino Sanchez-yes, Jeanine Best-yes, Natasha Mackey-yes, Caleb Grant-yes, Jason Perry-yes, Steve Henderson-yes, Barry Foster-yes, Tabitha Denny-yes and Juan Oropesa-no. The vote was 8-1 and the motion passed with Councilor Oropesa voting no and Councilor Sandoval being absent.

Proposed Ordinance 17-05 – Approving the project and authorizing the execution of an Intergovernmental Agreement and a Project Participation Agreement, accepting from the New Mexico Economic Development Department \$1,000,000 for economic assistance to support the construction and repair by Dean Baldwin Painting, LP. Councilor Perry moved to approve Proposed Ordinance 17-05 authorizing the execution of an Intergovernmental Agreement and a Project Participation Agreement, accepting from the New Mexico Economic Development Department. Councilor Foster was the second. Mr. Holloman discussed Proposed Ordinance 17-05. Dean Baldwin. LP is an aircraft painting company that leases property from the City of Roswell to conduct its business. The State of New Mexico Economic Development Department is providing funding in order to facilitate repair and expansion to the premises to allow Dean Baldwin to grow its operation and provide additional jobs for the community.

IN FAVOR: NONE

OPPOSED: NONE

QUESTIONS/COMMENTS: Patrick Lopez

Councilor Perry moved to table Proposed Ordinance 17-05 authorizing the execution of an Intergovernmental Agreement and a Project Participation Agreement, accepting from the New Mexico Economic Development Department. Councilor Best was the second. A roll call vote was as follows: Savino Sanchez-yes, Jeanine Best-yes, Natasha Mackey-yes, Caleb Grant-yes, Jason Perry-yes, Steve Henderson-yes, Barry Foster-yes, Tabitha Denny-yes and Juan Oropesa-yes. The vote was 9-0 and the motion passed with Councilor Sandoval being absent.

Appeal Hearing – Condemnation for the following properties: 401 S. Kansas and 401 ½ S. Kansas, Pauly Block 12 lot 1 W 68 1/3. To be heard as last item. Mr. Schweder was not present.

CONSENT ITEMS

Bids & RFP'S

Purchase of one new backhoe utilizing State of New Mexico Statewide Price Agreement #30-000-13-00054 which expires April 2017. The South Park Cemetery is in dire need of a new backhoe. The current backhoe can only operate in reverse, is old and in need of replacement. The vendor recommended is Titan Machinery of Albuquerque, NM. Total cost is \$82,737.40.

RIAC Leases

Authorize Thurston Woods, an individual, to renew his current lease agreement on a portion of Building No. 1776. Thurston Woods leases the building for the purpose of storage of personal items. The building is 1,798 square feet. New rent amount is \$172 monthly; \$2,064 annually. The term is from April 1, 2017 through March 31, 2018. Thurston Woods has been a customer since April 2010.

Authorize Zachary Canright and Jared Putman, as individuals, to renew their current lease agreement on "T" Hangar Building No. 120, Space 3. Zachary Canright and Jared Putman lease the building for the purpose of aircraft storage and maintenance. The building is 1,002 square feet. New rent amount is \$178 monthly; \$2,136 annually. The term is from April 1, 2017 through March 31, 2018. Zachary Canright and Jared Putman have been customers since March 2009.

Authorize Zen Sportz, Inc., a New Mexico Corporation, to renew their current lease agreement on office space Building No. 1, the Terminal. Zen Sportz, Inc., leases the office space for the purpose of a business office. The office is 100 square feet. New rent amount is \$106 monthly; \$1,272 annually. The term is from April 1, 2017 through March 31, 2018. Zen Sportz, Inc., has been a customer since February 2015.

Authorize Sceye SARL, a Swiss Company, a new lease agreement on Building No. 1670 and a parcel of land. Sceye SARL, leases building No. 1670 and a parcel of land for the purpose of research and development of lighter than air vehicles. The building is 4,947 square feet and land is 75,000 square feet respectively. Rent amount is \$2,594 monthly; \$31,128 annually. The term is from April 1, 2017 through March 31, 2019.

Resolution 17-10 – Weeds. The cleanup of approximately twenty-one (21) separate properties within the City.

Resolution 17-11 – Condemnations. The removal or demolition of approximately four (4) dilapidated structures within the City.

Lodgers' Tax Request

Roswell Galacticon 2017 on advanced funding of eligible expenses at 100% in the amount of up to \$25,000 with a signed contract and with the difference (\$1,294) between the amount in the line item balance and the \$25,000 be funded from the Lodgers' Tax fund balance. The event is scheduled for June 29 through July 2, 2017. The event features Sci-Fi movies and a Comic Conference showcasing the art, merchandise, workshops, panels and celebrities associated with this type of event held worldwide. The event will be held at the Roswell Mall and the Allen Theatres Complex.

Roswell Kick It 3v3 Soccer Tournament in the amount of \$1,500. The event is scheduled for June 23-24, 2017. The event will be held at the Cielo Grande Recreation Area.

Minutes – Consider approval of the minutes from the February 9, 2017 regular City Council meeting and the February 13, 2017 Special City Council meeting.

NEW BUSINESS/ REGULAR ITEMS

Proposed Ordinance 17-08 – to advertise to hold a public hearing and vote to authorize the issuance of the City's Convention Center Revenue Bond. Councilor Grant moved to approve to advertise to hold a public hearing and vote to authorize the issuance of the City's Convention Center Revenue Bond. Councilor Denny was the second. Ms. Garcia discussed Proposed Ordinance 17-08. The City has recognized the need to expand the Convention Center in order to meet the needs of current and future events within the area. A voice vote was unanimous and the motion passed with Councilor Sandoval being absent.

CLOSED SESSION

Councilor Sanchez moved to go into closed session, pursuant to NMSA 1978, § 10-15-1H(7), to discuss materials protected by attorney-client privilege pertaining to threatened or pending litigation in which the City of Roswell may become a participant pertaining to public employee bargaining and pursuant to NMSA 1978, § 10-15-1H(2), to discuss limited personnel matters related to a separation of a former employee. Councilor Denny was the second. A roll call vote was as follows: Savino Sanchez-yes, Jeanine Best-yes, Natasha Mackey-yes, Caleb Grant-yes, Jason Perry-yes, Steve Henderson-yes, Barry Foster-yes, Tabitha Denny-yes and Juan Oropesa-yes. The vote was 9-0 and the motion passed with Councilor Sandoval being absent.

The Council went into closed session at 6:49 p.m.

Councilor Sanchez stated that for the record the Council was back in open session at 7:43 p.m. and they had a closed session pursuant NMSA 1978, § 10-15-1H(7); to discuss materials protected by attorney-client privilege pertaining to threatened or pending litigation in which the City of Roswell may become a participant pertaining to public employee bargaining and pursuant to NMSA 1978, § 10-15-1H(2), to discuss limited personnel matters related to a separation of a former employee. No action was taken and no votes were made.

ACTION ITEM – REQUEST

Consider approval of a funding source for the approved settlement between the City and the Utility Workers of America, AFL-CIO involving the step increase. Councilor Grant moved to approve funding source option number one for the approved settlement between the City and the Utility Workers of America, AFL-CIO involving the step increase. Councilor Denny was the second. Ms. Garcia discussed the two funding options. Option one will be funded within the current budget (FY2016-2017). Option two will be funded from the reserves of the City. A voice vote was unanimous and the motion passed with Councilor Sandoval being absent.

Appeal Hearing – Mayor Kintigh called for Mr. Schweder to come forward. Mr. Schweder was not present. Councilor Henderson moved to hold the appeal hearing pertaining to 401 S. Kansas and 401 ½ S. Kansas. Councilor Foster was the second. A roll call vote was as follows: Savino Sanchez-yes, Jeanine Best-yes, Natasha Mackey-yes, Caleb Grant-yes, Jason Perry-yes, Steve Henderson-yes, Barry Foster-yes, Tabitha Denny-yes and Juan Oropesa-yes. The vote was 9-0 and the motion passed with Councilor Sandoval being absent.

Mayor Kintigh called for Mr. Schweder to come forward if present. Mr. Schweder was not present.

Mr. Holloman explained the process and called Mr. Mathews as witness. Mr. Mathews was sworn in by Ms. Coll. The appeal hearing then began. After the hearing Mayor Kintigh called one last time for Mr. Schweder to come forward. Mr. Schweder was not present. Councilor Henderson moved to deny the appeal and uphold the condemnations of 401 S. Kansas and 401 ½ S. Kansas. Councilor Denny was the second. A roll call vote was as follows: Savino Sanchez-yes, Jeanine Best-yes, Natasha Mackey-yes, Caleb Grant-yes, Jason Perry-yes, Steve Henderson-yes, Barry Foster-yes, Tabitha Denny-yes and Juan Oropesa-yes. The vote was 9-0 and the motion passed with Councilor Sandoval being absent.

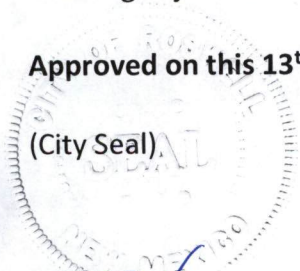
PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

None

ADJOURNMENT

Meeting adjourned at 7:59 p.m.

Approved on this 13th day of April, 2017.




SHARON COLL, CITY CLERK


DENNIS KINTIGH, MAYOR